

AMENDED IN ASSEMBLY MARCH 24, 2008

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1818

Introduced by Assembly Member Fuentes

January 18, 2008

An act to add Section 12955.10 to the Government Code, *and to amend Section 50675.1 of the Health and Safety Code*, relating to housing.

LEGISLATIVE COUNSEL'S DIGEST

AB 1818, as amended, Fuentes. Housing: veterans.

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(1) *The California Fair Employment and Housing Act* makes it unlawful to discriminate against any person in any housing accommodation on the basis of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or disability. The act provides that it does not prohibit a religious or related society or organization from limiting the sale, rental, or occupancy of dwellings that it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to those persons, unless membership in that religion is restricted on account of race, color, or national origin.

This bill would authorize a housing developer or a provider of rental housing who has received a loan or grant from the Department of Housing and Community Development or the California Housing Finance Agency, and whose housing is subject to rental or ownership restrictions imposed pursuant to the loan or grant, to limit, in whole or in part, the sale, rental, or occupancy of that housing to veterans, as

defined, or to grant preference to veterans regarding the sale, rental, or occupancy of the housing.

(2) Existing law establishes the Multifamily Housing Program under the administration of the Department of Housing and Community Development to provide a standardized set of program rules and features applicable to all housing types based on the department's California Housing Rehabilitation Program.

This bill would authorize the sponsor, as defined, of a project funded by the Multifamily Housing Program, to restrict occupancy of a project to veterans, as defined, under specified circumstances.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12955.10 is added to the Government
2 Code, to read:

3 12955.10. (a) Notwithstanding this part and Section 11135, a
4 housing developer or a provider of rental housing who has received
5 a loan or grant from the Department of Housing and Community
6 Development or the California Housing Finance Agency, and
7 whose housing is subject to rental or ownership restrictions
8 imposed pursuant to the loan or grant, may limit, in whole or in
9 part, the sale, rental, or occupancy of that housing to veterans, or
10 may grant preference to veterans regarding the sale, rental, or
11 occupancy of the housing.

12 (b) For the purposes of this section, "veteran" means a person
13 who has served for 90 consecutive days or more in the Armed
14 Forces of the United States and has been discharged under other
15 than dishonorable conditions from that service.

16 SEC. 2. Section 50675.1 of the Health and Safety Code is
17 amended to read:

18 50675.1. (a) This chapter shall be known and may be cited as
19 the Multifamily Housing Program.

20 (b) Assistance provided to a project pursuant to this chapter
21 shall be provided in the form of a deferred payment loan to pay
22 for the eligible costs of development as hereafter described.

23 (c) Except as provided in paragraph (3), on and after January
24 1, 2008, of the total assistance provided under this chapter, the
25 percentage that is awarded for units restricted to senior citizens,

1 as defined in paragraph (1) of subdivision (b) of Section 51.3 of
2 the Civil Code, shall be proportional to the percentage of lower
3 income renter households in the state that are lower income elderly
4 renter households, as reported by the federal Department of
5 Housing and Urban Development on the basis of the most recent
6 decennial census conducted by the United States Census Bureau.

7 (1) The department shall be deemed to have met its obligation
8 under this subdivision if the assistance awarded is not less than 1
9 percent below the proportional share.

10 (2) This subdivision does not require the department to provide
11 loans to projects that fail to meet minimum threshold requirements
12 under subdivision (b) of Section 50675.7.

13 (3) Assistance for projects meeting the definitions in paragraphs
14 (2) and (3) of subdivision (e) of Section 11139.3 of the Government
15 Code and subdivisions (c) and (d) of Section 53260 shall be
16 excluded from the total assistance calculation under this
17 subdivision.

18 (4) The department shall determine the time period over which
19 it will measure compliance with this section, but that period shall
20 not be less than one year or two funding cycles, whichever period
21 is longer.

22 (5) If, at the end of the time period determined by the
23 department, the total amount of funding for which sponsors have
24 submitted qualified applications is lower than the proportional
25 share, the department may award the remaining funds to units that
26 are not restricted to senior citizens.

27 (6) The department's annual report to the Legislature submitted
28 under Section 50408 shall include a breakdown of funding awards
29 between units restricted to senior citizens and units that are not
30 age-restricted.

31 (d) This chapter shall be administered by the department and
32 the department shall establish the terms upon which loans may be
33 made consistent with the provisions of this chapter.

34 (e) (1) *Notwithstanding any other provision of law, the sponsor*
35 *of a project may restrict occupancy to veterans, if the veterans to*
36 *be served possess significant barriers to social reintegration and*
37 *employment that require specialized treatment and services and*
38 *are due to a physical or mental disability, substance abuse, or the*
39 *effects of long-term homelessness, and the sponsor also provides,*
40 *or assists in providing, the specialized treatment and services.*

1 (2) *For the purposes of this subdivision, “veteran” means a*
2 *person who has served for 90 consecutive days or more in the*
3 *Armed Forces of the United States and has been discharged under*
4 *other than dishonorable conditions from that service.*

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